IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION.
CRIMINAL APPLICATION No.2235/2007

Vishal Ashok Dhamale ..Applicant.

Vs.

The State of Maharashtra ..Respondent.

Mr K. S. Patil i/b Deepak Girme, Advocate for the applicant.

Ms M. H. Mhatre, APP for the State.

CORAM: V. C. DAGA,J.
DATED: 16 8. 2007.

P.C.:-

1. Heard the learned counsel for the applicant and the learned APP for the State.

2. Perused application and the material available on record.

3. The applicant-accused is seeking bail in C.R. No. 259 of 2006 registered with Haveli Police Station for the offence under Sections 307, 147, 148 and 149 of the I.P.C.

4. Having heard both parties, it is clear that the name of the present applicant does not appear in the F.I.R. nor any incriminating weapon is seized from the

applicant. The material available on record, prima facie, does not demonstrate the presence of the applicant-accused on record. There is no overt act alleged against the applicant during the incident. There is no merit in keeping the applicant further in jail. In this view of the matter, I am inclined to grant bail to the applicant on following terms and conditions.

a] The applicant Vishal Ashok Dhamale arrested in connection with C.R.No.259 of 2006 registered with Haveli Police Station, District Pune shall be enlarged on bail subject to furnishing a personal bond of Rs. 25,000/- with one local surety in the like amount.

b] The applicant shall report to the above Police Station once in a week i.e. Monday in between 3.00 to 5.00 p.m. till conclusion of the trial.

c] The order of bail will be given effect only after the applicant furnish to the Investigating Officer the details about his place of residence and address where he

propose to stay after he is enlarged on bail.

d] The applicant shall not, directly or indirectly, make any inducement or threat to any prosecution witnesses and shall not, in any manner, tamper with the prosecution evidence.

e] The applicant shall co-operate with the Investigating Officer in investigation.

f] Any observation made in this order shall not be construed as any finding or any expression of opinion on the merits of the case at the time of trial.

5. Application is disposed of in above terms.

(V.C. DAGA,J.)